

January 11, 1988      LB 117, 305A

CLERK:      25 ayes,   0 nays, Mr. President, on the advancement of 305A.

PRESIDENT:   LB 305A is advanced.   LB 117.

CLERK:   LB 117, Mr. President, offered by Senator Pirsch. (Read title.) The bill was introduced on January 8, referred to the Judiciary Committee, advanced to General File. I do have committee amendments pending by the Judiciary Committee, Mr. President.

PRESIDENT:   Senator Chizek, please.

SENATOR CHIZEK:   Mr. President, fellow senators, LB 117 deals with an important issue that has generated a lot of interest. In fact, we have heard from individuals and groups on this issue almost more than any other on both sides of the issue. Generally, LB 117 deals with increasing penalties for the sale of child pornography and makes it a crime to possess child pornography. I will let Senator Pirsch speak to you about the particulars of the bill not affected by the committee amendment. The bill, as originally drafted, required criminal penalty for film processors to report to authorities any film containing what they considered child pornography. What came to light during the hearings was that most film processing is done automatically with almost no personal monitoring. The committee believed that this provision to be unenforceable and unfair financial burden on the film processing industry and instead the committee elected to give the film processors protection from civil suits if they do discover a film they are processing contains scenes of child pornography and report it to the authorities. I believe that this amendment is a responsible method of dealing with this issue and I would urge the body's support for the committee amendment. Thank you.

PRESIDENT:   Thank you.   Senator Chambers, please.

SENATOR CHAMBERS:   Mr. Chairman and members of the Legislature, I have a question I would like to ask of Senator Chizek.

PRESIDENT:   Senator Chizek, would you respond, please.

SENATOR CHIZEK:   Yes.